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COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Twentieth session

SUMMARY RECORD OF THE 5th MEETING

Held at the Palais des Nations, Geneva,
on Wednesday, 28 April 1999, at 10 a.m.

Chairperson: Ms. BONOAN-DANDAN

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The meeting was called to order at 10.05 a.m.

CONSIDERATION OF REPORTS:

(a) REPORTS SUBMITTED BY STATES PARTIES IN ACCORDANCE WITH ARTICLES 16 AND 17 OF THE COVENANT (agenda item 8) (continued)

Second periodic report of Iceland (continued) (E/1990/6/Add.15); List of issues (E/C.12/Q/ICE/1); Written responses by the Icelandic Government (HR/CESCR/NONE/1999/2)

1. At the invitation of the Chairperson, the members of the delegation of Iceland resumed their places at the Committee table.

2. The CHAIRPERSON invited the Icelandic delegation to respond to questions asked by members of the Committee.

3. Ms. ARNLJÓTSDÓTTIR (Iceland), responding to questions relating to the Act of 17 December 1998 on medical databases, said that according to the initial conclusions reached by Icelandic experts looking into the subject, the Act was in conformity with all the European Conventions and all the relevant directives of the European Union. A recent university study on the question had yielded the same conclusions. With regard to the cost of health services since certain standard medical fees had been reduced by a decision adopted in April 1999, the standard fee for a visit to a general practitioner had been set at 300 Icelandic krona (US$ 4.30) for the population at large, but at only 100 Icelandic krona (US$ 1.40) for the elderly, the disabled and children. The cost for consulting a specialist was ISK 1,400 and ISK 500, respectively, with a possible surcharge of 40 per cent in the first case and 30 per cent in the second. Under a special regime, any individual or family was entitled to reduced rates beyond a certain annual threshold of expenditure. With regard to the situation of the elderly, a recent survey by the Ministry of Health and Social Security showed that they were generally satisfied with the quality of health services provided and that most of them had never had to refrain from consulting a physician because the standard fee was too high. As to possible restrictions on access to health services owing to age, while it was true that the Ministry had had to set priorities, there had never been any intention to reduce medical coverage for persons over 60 years of age. In that respect, the elderly had the same rights as the population at large.

4. Concerning alcohol and drug abuse, she said that a study carried out in 1997 showed that, paradoxically, the rate of alcohol consumption was very low in Iceland compared with other Nordic countries, whereas the number of individuals under treatment for alcoholism was among the highest in the world. The study also showed an increase in the consumption of drugs in general among young people.

5. Mr. ANTANOVICH asked whether the trend in alcohol consumption towards reduced consumption of hard liquor compared with wine and beer had developed spontaneously or was the result of a considered policy.

6. Ms. ARNLJÓTSDÓTTIR (Iceland) said that the trend could be attributed both to natural factors and to certain restrictions on alcohol consumption in

Icelandic society. Icelanders made a clear demarcation between work and leisure, and the ban on beer with an alcohol content of more than 2.24 degrees which had been in force since 1915, had been maintained until 1989, when the abstinence rate had been 14 per cent among men and 18 per cent among women.

7. Mr. HUNT asked whether the cost of prescription medication had increased.

8. Ms. ARNLJÓTSDÓTTIR (Iceland) said that there had been a major change in 1994, when control over the sale and distribution of medication had been transferred from the State to the private sector. The cost of medication had since diminished, but that reduction had nothing to do with State intervention, since producers had reduced their prices on their own initiative. She could provide figures to members of the Committee who wished to know more on that subject.

9. Ms. BALDURSDÓTTIR (Iceland), replying to questions relating to the right to work, said it was true that a work permit was issued to the employer for the first three years and that a person from a non-European Union country married to an Icelandic national must be the holder of a work permit, which in practice was always issued to such persons, even if it was valid for only three years. The Labour Board and the Ministry of Social Affairs were currently considering the matter as part of the revision of Act No. 133 of 1994 on the right to work. On domestic violence, it should be pointed out that the State and civil society had been cooperating intensively over the past 10 years or so to combat that scourge. In 1982, a shelter for women victims of violence and their children had been opened in Reykjavik. An NGO provided material, medical and psychological aid free of charge to women and girls who had been subjected to sexual violence and operated a training and information centre that was open to the public and to professionals capable of assisting the victims. Information provided by the Centre showed clearly that sexual violence was as prevalent in Iceland as in neighbouring countries. Since 1993, the Reykjavik hospital had been offering medical, psychological and social aid for rape victims as well as legal aid from the lodging of a complaint through the various stages of its processing.

10. As to the question raised by Mr. Ahmed, whether foreigners had the right to engage in commercial fishing and to consume energy, she said that Act No. 34 of 1991 on foreign investment in Icelandic industry set out restrictions on indirect foreign investment in the fishing industry and prohibited direct investment. On the other hand, there were no restrictions on energy use by foreigners and foreign companies in fact consumed over 60 per cent of the electricity produced in Iceland.

11. Ms. JIMENEZ BUTRAGUEÑO asked whether the penalties imposed on perpetrators of family violence had been strengthened in recent years. Had women's associations mobilized to ensure that the Criminal Code punished such offenders more severely?

12. Ms. BALDURSDÓTTIR (Iceland) said that the penalties set out by the law had not been altered, but the courts might well be applying them more stringently.

13. Ms. JIMENEZ BUTRAGUEÑO said she was concerned to see that the Act on the Rights of Patients did not list age among the grounds on which discrimination among patients was prohibited, particularly in view of the ageing of the population. She was concerned that the elderly, in comparison with other categories of the population, might be subjected to discrimination.

14. Ms. ARNLJÓTSDÓTTIR (Iceland) said that age was implicitly included among the grounds for discrimination mentioned in article 1, paragraph 2 of that Act. The Constitution expressly prohibited any discrimination on grounds of age, inter alia. The Icelandic delegation nevertheless acknowledged that it might be desirable for that factor to be specifically mentioned in the Act.

Articles 13 and 14: Right to education

15. Ms. JENSDÓTTIR (Iceland) informed members of the Committee that since 1 January 1998, three higher education institutions had become affiliated with the university in order to reinforce the Icelandic educational system.

16. Mr. AHMED requested clarification on the type of courses offered for children who were not nationals of the country in Icelandic and in their mother tongue.

17. Mr. HUNT asked whether the 1995 Act on Compulsory Education, which gave municipal authorities responsibility for the financing of educational institutions for children aged 6 to 16 years, was not likely to exacerbate the inequality between the more prosperous municipalities and those that were less well-to-do. Supported by Mr. CEAUSU, he asked whether the Government had set up a system to prevent and correct possible regional disparities in respect of financing and educational standards.

18. Mr. THAPALIA requested information on the number, age and sex of the disabled, and on educational institutions for them. With regard to the right to education, was there an education programme for the elderly and was anything being done to ensure that their knowledge and experience were handed down to the younger generation?

19. Mr. CEAUSU asked whether there was a numerus clausus for admission to upper secondary schools and, if so, what the admission procedures were.

20. Mr. PILLAY asked whether steps had been taken to uphold the qualifications of teachers and to ensure that their salaries were reviewed.

21. Ms. JENSDÓTTIR (Iceland), responding to Mr. Ahmed, said that in addition to the courses taken by Icelandic students, foreign students had two hours of study of the Icelandic language every week and their classes were held in the language that was their mother tongue insofar as possible. In the past few years, the Government had admitted many refugees, who had taken up residence in municipalities where their children could attend classes given in the language that was their mother tongue by adults who could also serve as their interpreters until they learned Icelandic. The new curriculum granted foreigners the right to study Icelandic as a second language so as to facilitate their integration into society.

22. With regard to the danger of regional disparities mentioned by Mr. Hunt and Mr. Ceausu, she said that the Government had set up a common fund financed by the State to preclude the persistence or growth of a gap between the richest and poorest municipalities. The Ministry of Education was also working towards that objective with the new curriculum applied in all educational institutions, which provided for the monitoring and evaluation of the teaching in such institutions. Although it was too early to draw conclusions, the local authorities and the population were taking a greater interest not only in the financing but also in the management of scholastic institutions.

23. Replying to a question by Mr. Ceausu, she said that there was no numerus clausus for admission to upper secondary education, but that since 1996, in some fields of study, students who appeared not to have the necessary level of learning were required to take a preliminary year of preparatory studies. The new system was aimed at reducing the high rate of school drop-outs.

24. Ms. JENSDÓTTIR (Iceland), replying to Mr. Thapalia, said that her country did not have a system under which the elderly could give young people the benefit of their experience and their knowledge. Certain hospitals brought in retired physicians to help in training medical students, although that approach had not been extensively developed. In response to Mr. Pillay, she acknowledged that the situation of the teaching staff was not as good as could be desired. Taking advantage of the economic upturn, private enterprises were offering teachers better-paying jobs than those in the civil service, sometimes obliging the State to recruit persons without all the necessary qualifications. Negotiations with teachers being the exclusive responsibility of the local authorities, the State could do nothing more than to give further encouragement to students to train as teachers. The fact that education was now the responsibility of the local authorities had helped to improve the salaries of the teaching staff, which had grown on average by 33 per cent in recent years - three times as fast as for other civil servants.

25. Ms. JIMENEZ BUTRAGUEÑO pointed out that in a 1996 report, the Committee on the Elimination of Discrimination against Women had recommended that instruction on human rights, and particularly on equality between the sexes, should be given in the schools. She asked whether the Icelandic Government had taken that recommendation into account.

26. Mr. SADI recalled that the General Assembly of the United Nations had proclaimed 1995-2004 the United Nations Decade for Human Rights Education. Was the Icelandic Government aware that the Decade was being held, and what measures had it taken to apply the programme? Could the Icelandic delegation provide more detailed information on the reasons for the high drop-out rate among secondary school students?

27. Ms. JENSDÓTTIR (Iceland) said that equality between the sexes was a reality in Iceland and everything was done to ensure that it remained so, including consciousness-raising activities in the schools and in other sectors of society. The Government was aware of the holding of the United Nations Decade for Human Rights Education and information pamphlets on that subject had been distributed in the schools. Even though human rights were not a subject in themselves, they were nevertheless constantly brought up in

disciplines such as history and sociology. On the high drop-out rate, she referred members of the Committee to paragraphs 131 to 135 of the replies to the list of issues, which contained detailed information, not only on the reasons for the drop-out rate but also on measures to reduce it.

28. Mr. WIMER said he was surprised that the report gave no information on university education, which was nevertheless the culminating point of the educational system. What were the conditions for admission to higher education and how were the universities financed? What opportunities were open to students and what were the chances of obtaining grants?

29. Mr. AHMED asked why only 40 per cent of university students were men. What were the factors, if any, that obstructed access of men to university? Could it be said that their human rights were being violated?

30. Ms. JENSDÓTTIR (Iceland) said that admission to university was possible with a secondary school-leaving certificate. Higher education was directly financed by the State, students being required only to pay registration fees. There was a fund from which students could obtain a loan to meet their day-to-day expenses and it was open to all, with no discrimination whatsoever. The fact that fewer men than women entered the university was a recent phenomenon: 20 years ago, the situation had been the reverse. No analysis had been made of the matter, but it was possible to assume that more men found jobs without having attended university, including in branches of activity such as fishing, for which vocational training was provided in the secondary schools.

31. Ms. JIMENEZ BUTRAGUEÑO asked whether, like other countries, Iceland was experiencing the problem of unemployment of university graduates.

32. Ms. JENSDÓTTIR (Iceland) said that the problem did not arise since the creation of enterprises in advanced fields like biotechnology had enabled many university graduates to find jobs in line with their training.

33. Mr. AHMED said he had been surprised to read in the reply on item 34 of the list of issues that all branches of science could be studied in Iceland, with the exception of architecture and veterinary science. Did that mean that there was no livestock-raising in the country?

34. Ms. JENSDÓTTIR (Iceland) said it was true that no one in Iceland had raised the question of why Icelandic students had to go to other Scandinavian countries to study architecture and veterinary science. The situation nevertheless offered an advantage in that various architectural styles were represented in the country and accordingly the landscapes were very attractive.

Article 15: Right to take part in cultural life

35. The CHAIRPERSON invited members of the Committee to ask questions or make comments concerning items 35 and 36 of the list of issues.

36. Mr. ANTANOVICH asked whether films were produced in Iceland and, if so, how many. In the past few years, what had been the proportion of foreign

television programmes? Was the invasion of American cultural products a subject of controversy in Iceland, as in other European countries? He himself believed that foreign products were often simply made into scapegoats when in fact it was local products that were of poor quality. In that connection, did the Icelandic Government have a policy supporting and promoting artistic quality at the national level, including in the cinema?

37. Mr. MARCHÁN ROMERO said it was regrettable that the report devoted only five short paragraphs to the rights set out in article 15 of the Covenant. That very summary treatment was unfortunate, for cultural rights were equally as important as economic and social rights. He wished to know what portion of the budget was allocated to culture and whether there was a national plan for the development, conservation and dissemination of cultural heritage. Had the Government taken specific measures to give students and the elderly greater access to cultural sites such as museums and libraries at preferential rates? According to the information he had received, there had been a tangible drop in attendance at theatres and cinemas. What explained the public's apathy? Was it, perhaps, inadequacies in the policy on dissemination and promotion of cultural works?

38. Mr. GRISSA asked what opportunities were available to various sectors of the Icelandic population, which was becoming more and more heterogeneous because of an influx from abroad, to take advantage of their cultural heritage and to profess their religious faith.

39. Ms. JIMENEZ BUTRAGUEÑO asked what specific steps were being taken by the State and local authorities to promote access of elderly people to culture, including at preferential rates, how many non-governmental organizations were present in Iceland and what was the nature of their activities. Were there organizations for the elderly and for young people?

40. The CHAIRPERSON invited the Icelandic delegation to reply to the questions raised by members of the Committee.

41. Ms. JENSDÓTTIR (Iceland) confirmed that the number of films of mediocre quality broadcast in Iceland had been increasing over the past 20 years. To confront the competition from foreign films, Icelandic film-makers could obtain financial aid from the Icelandic fund for the cinema or from foreign organizations. With regard to the controversy about mass imports of foreign films to the detriment of local output, Icelandic films were generally of better quality than imported ones, but the small size of the local market worked against them. In addition, their export was hardly facilitated by the fact that Icelandic was totally unknown abroad. The State gave subsidies not only to the cinema but also to other sectors of cultural activity, such as the fine arts, literature and music, while leaving to artists themselves the responsibility for managing the funds, a system which appeared to be fully satisfactory.

42. The proportion of the national budget devoted to culture had risen from 1.6 per cent to 2.2 per cent of the gross domestic product between 1987 and 1996. It was artists and other cultural workers rather than the Government who determined cultural orientations and policy, even though the State subsidized cultural activities.

43. With regard to access of the elderly to culture, she said the elderly were accorded preferential rates for certain cultural events at the national level. There were extensive programmes of cultural activities at the local level, something which encouraged the elderly to participate actively in cultural life, including in the theatre. There was an extremely active cultural association for the elderly which gave very popular theatre performances, often depicting the situation of the elderly.

44. Iceland had many non-governmental organizations, which could be freely established by any person residing in the country, but the authorities had not considered it useful to make a survey of them.

45. With regard to religious freedom in Iceland, she said that everyone was free to practise his religion, whatever his national or other origin. Everyone was also free to participate on the same footing in the cultural life of the country and to obtain subsidies for cultural or artistic activities.

46. As to the provision of subsidies to religious communities other than the Evangelical Lutheran Church, she explained that part of the taxes paid was automatically transmitted to that Church or, if the taxpayer was not a member of that Church, to his or her own church or religious community.

47. The identity cards of Icelanders did not indicate their religion, but religion was mentioned on the income tax statement that they filled out every year in order to designate the beneficiary of the ecclesiastical tax.

48. Ms. BALDURSDÓTTIR (Iceland) said that Iceland intended to become a party to ILO Convention No. 138 concerning Minimum Age for Admission to Employment and had started the ratification procedure.

49. The CHAIRPERSON thanked the Icelandic delegation and announced that consideration of the second periodic report of Iceland had been completed.

50. The Icelandic delegation withdrew.

ELECTION OF OFFICERS (agenda item 2) (continued)

51. The CHAIRPERSON said that, following private consultations among members of the Committee, Mr. Ahmed had been elected Vice-Chairperson of the Committee.

The meeting rose at 12.45 p.m.